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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE APPLICATION :	
FOR LICENSURE OF :	Administrative Action
RACHEL D. FINDLAY :	
26 NB 7278500 :	CONSENT ORDER
TO PRACTICE NURSING :	
IN THE STATE OF NEW JERSEY :	
_____ :	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of Rachel D. Findlay's application for licensure as a Licensed Practical Nurse by examination, including a certification and authorization form for a criminal history background check, dated April 17, 2014. Upon review of the results of the criminal history background check, the Board ascertained that the applicant was arrested on June 17, 2008, by

members of the Englewood Police Department. On February 26, 2009, the applicant was found guilty in the Englewood Municipal Court of Defiant Trespasser and assessed fines and costs totaling four hundred and fifty-five dollars (\$455).

The applicant failed to disclose this arrest and conviction on her application for licensure, answering "No" to question 14 on the license application which asked if she had ever been arrested; "No" to questions 15 which asked if she had ever been found guilty of any offense; and "No" to question 6 on the certification/authorization form for a criminal history background check which asked whether she had ever been arrested and/or convicted.

After the Board contacted the applicant with the results of the criminal history background check, the applicant acknowledged that as a teenager, she entered her high school after hours and was charged with, and found guilty, of trespassing. The applicant maintained that she checked "no" on the application because she did not view her actions as a true "crime."

The Board finds that the applicant misrepresented her criminal history on the application which constitutes a violation of N.J.S.A. 45:1-21(b).

The Board having reviewed this matter, and having considered

the nature and timing of the above conduct, and the parties desiring to resolve this matter, and the Board having determined that the within Order is sufficiently protective of the public, in lieu of further proceedings, and for other good cause shown;

IT IS on this 18th day of May, 2015

HEREBY ORDERED AND AGREED that:

1. Rachel D. Findlay's application for licensure as a Licensed Practical Nurse shall be granted upon proof of successful completion of the National Council Licensure Examination for Practical Nurses (NCLEX-PN).


2. A civil penalty in the amount of five hundred dollars (\$500) is hereby imposed upon the applicant for failing to disclose her arrest and conviction on her application and certification/authorization for a criminal history background check. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment submitted contemporaneously with this signed Order. Any other form of payment will be rejected and will be returned to the party making the payment.

3. The applicant shall obey all the laws of the State of New Jersey, the United States and their political subdivisions,

as well as all regulations, rules or laws pertaining to the practice of nursing in any State or jurisdiction in which she practices nursing.

NEW JERSEY STATE BOARD OF NURSING

By: _____


Patricia Murphy, PhD, APN
Board President

I have read and understand
the within Consent Order
and agree to be bound by
its terms.



Rachel D. Findlay